

EXTENSIONS OF REMARKS

A PRESIDENTIAL COMMISSION ON
TELEMEDICINE

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mrs. SCHROEDER. Mr. Speaker, imagine being diagnosed in your own living room via your television screen by your doctor miles away. He is able to take your pulse and temperature while you are sitting on your sofa. Or having your x rays viewed simultaneously by your family doctor and a consulting expert across the country.

This is not a futuristic fantasy. It's an example of what telemedicine projects are already doing in America today. Medical and technology forces are converging to give American health consumers better and more cost-effective access to quality care. By the end of this century, telemedicine will be as common as air travel.

Telemedicine is the wave of the future in health care. I believe it's time to set up a Presidential Commission on Telemedicine, while the field is still in its formative stages, to facilitate and foster its growth.

Today I am introducing legislation in the House to set up a Presidential Commission on Telemedicine that will assess the state-of-the-telemedicine field today and outline how to make telemedicine an accepted practice in the delivery of health care services in our country.

The Commission is designed to be comprehensive, yet succinct. It will be a year-long Commission, directed by the Vice President, including among its members the Secretaries of Commerce, Health and Human Services, Defense, and Energy. Because telemedicine affects a wide variety of specialties, the Commission will include among its 26 members physicians and consumers, as well as experts in many fields including, but not limited to, medicine, biomedical engineering, telecommunications, education, and business.

I want a wide range of people involved in this exciting new field to come together, compare notes, and lay out a framework for the development of telemedicine in the United States. This Commission can help create a blueprint on telemedicine to make sure doctors use it, insurance pays for it, and consumers have confidence in it. I have circulated a draft of my legislation to people who have been following the progress of American telemedicine. This bill reflects the comments of such experts.

I believe that establishing the infrastructure for telemedicine should be sure-footed. A 1-year Commission to set out that measured plan of action will be a key step as we seek to forge a national policy on telemedicine.

TRIBUTE TO JACKIE R. MEDLEY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. SKELTON. Mr. Speaker, I rise today to recognize a truly outstanding person who lives in the State of Missouri—Jackie R. Medley of Versailles.

On April 28, 1994, the Carnegie Hero Fund Commission named 18 individuals from throughout the United States and Canada as recipients of the Carnegie Medal. The medal is given to civilians who risk their lives to an extraordinary degree while saving or attempting to save the lives of others. I am proud to say that Jackie R. Medley was a recipient of one of these prestigious awards. The case summary of this award follows:

Jackie R. Medley saved Johnny W. Wilson from burning, Versailles, MO, February 3, 1993. Wilson, 29, was asleep in his bedroom after the fire broke out in the living room of his mobile home and spread. After others attempted unsuccessfully to rescue him, a neighbor, Medley, 42, disabled truck driver, entered the smoke-filled mobile home through its back door and crawled into Wilson's bedroom. With visibility restricted by the smoke, Medley located Wilson in his bed, then pulled him to the floor and dragged him out of the mobile home through the rear door. The structure was shortly engulfed in flame. Both Wilson and Medley were treated for smoke inhalation, and they recovered.

I ask my fellow Members to join me in congratulating Jackie Medley for his valiant actions.

STATEMENT ON RADIO PACIFICA

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. RICHARDSON. Mr. Speaker, I would like to urge my colleagues to take note of an amendment to the Labor, HHS, Education, and Independent agencies appropriation bill that passed late last night to cut funding by \$1 million for the Corporation for Public Broadcasting. It must be made clear that this amendment is not directed to cut the funding of any specific program at CPB, and, in particular, Pacifica Radio.

Pacifica is a multicultural network committed to promoting diversity among our country's communities. As a minority, I believe that Pacifica makes a necessary and important contribution to our society. Pacifica provides programming that many in our country would not otherwise get. We must never forget that diversity and freedom of expression are principles upon which our country was founded.

Pacifica's commitment to cultural understanding and the first amendment is unquestionable. Members should know that 75 percent of Pacifica's operations are listener supported. It is clear that there is great support among the American public for the service that Pacifica provides.

Contrary to some opinions, Pacifica does not promulgate a policy that encourages hate programming or prejudicial reporting. Like all news organizations, Pacifica is after a story. Their angle may be different but that does not make them wrong. Pacifica is widely recognized among the news industry. Pacifica has received prestigious awards such as: The Peabody; the Polk Award; the Robert F. Kennedy Freedom Award; the U.P.I. Award; the Armstrong Award; and the National Federation of Community Broadcasting Golden Reel Award.

Pacifica is a necessary part of our society. I urge my colleagues to give this worthy program the attention necessary. I look forward to working with Mr. SMITH, chairman of the Labor, HHS, and Education Appropriation Subcommittee, to see this issue worked out in conference.

THE STRIKER REPLACEMENT BILL

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. BEREUTER. Mr. Speaker, this Member would like to commend to his colleagues the following editorial from the July 12, 1994, Washington Post, concerning the striker replacement legislation now pending in the Senate.

This legislation is ill-advised and would do untold harm to the American economy. It is a measure which would hurt both American businesses and American workers. As the Post editorial makes clear, the striker replacement bill would upset the balance of labor-management relations. It should not be passed.

[From the Washington Post, July 12, 1994]

THE STRIKER REPLACEMENT BILL

The striker replacement bill may come up this week in the Senate, where at last count there appeared to be the votes to block it. We hope so. This is bad legislation that in the name of restoring balance to labor law and relations would in fact unbalance them and could well do lasting economic harm. A Democratic majority in the House passed it last year as a sop to organized labor, and the president has said for the same propitiatory reasons that he would sign it if it were sent to him. He should have said no on the merits. It has now been left to the Senate to do so instead.

The bill would deny employers the right to hire permanent replacements when workers

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

strike over economic issues. (Other rules apply to strikes over unfair labor practices.) Organized labor says the ban is necessary to protect the right to strike, which it claims is threatened. But this is not an effort to regain a lost right. Rather, it's an effort to regain lost power—the membership and clout that labor has lost in recent years for reasons having mainly to do with a weak competitive position in the world economy. A change in labor law won't solve that problem, and would likely make it worse.

The law is currently contradictory. The National Labor Relations Act said in 1935 that strikers could not be fired. The Supreme Court nonetheless held three years later that they could be permanently replaced. Mostly the matter thereafter was ignored. Management rarely used the replacement power, and labor rarely protested it. Labor says that the tactic has now become more common. That isn't clear—but it has been used in some highly visible recent cases, and those have been enough to make it a major issue.

Labor says the power has been abused to break unions. No doubt there have been such cases. But occasions also arise when strikers by their behavior forfeit the right of return and companies ought to hire permanent replacements. This newspaper faced such a breach in dealing with one of its unions in the 1970s. The goal of labor law is not to determine the outcome of labor disputes but to maintain a system of mutual deterrence in which neither side can act without risk. An obdurate company risks a strike; obdurate strikers risk replacement. Most of the time the balance works and produces rational results. This bill would destroy the balance and ought not pass.

PROPAGANDA FEST

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. GINGRICH. Mr. Speaker, I rise today to submit into the RECORD an article which appeared in the June 26 edition of the Washington Times and was written by syndicated columnist Tony Snow. I believe you will get a sense of the true spirit with which this administration has approached health care reform.

[From the Washington Times, June 26, 1994]

CLOUDS OVER HEALTH REFORM

(By Tony Snow)

ClintonCare is dead, but don't tell NBC. "To Your Health," the network's June 21 "town meeting" about medical industry reform, blew a chance to reshape the health-care debate at a propitious moment.

According to USA Today-Gallup numbers, approval ratings for the president's reform plan have tumbled to 42 percent, while negative responses have jumped to 50 percent.

More than four-fifths of the American people want to keep their present health-care arrangement—not surprising, since healers have done a better job than Congress in controlling costs. And NBC's own research shows health care has slid to third in the list of people's priorities—tied with welfare reform, way behind fighting crime and strengthening the economy. Network statistics also indicate that most Americans want no action on the issue this year.

In such circumstances, one might expect NBC to explore alternatives to Mr. Clinton's

New Dealism, such as self-insurance, medical savings accounts and purchasing cooperatives. But no: Just about every inhabitant of the hand-picked talk town came from the left wing of the political spectrum. Furthermore, the network canceled plans to advertise its survey numbers in nationwide newspaper ads—perhaps because the polls undercut the program's premise that we must do something now about health care.

Whatever the case, the show looked like a White House production. Panels discussed various forms of government health care. Citizens spun tales of woe. Hillary Rodham Clinton promised that her one-size-fits-all approach to the problem would save the unfortunate. And network anchors prompted select audience members to ask pre-planned questions.

Michael Thompson, who runs a small marketing company in Springfield, VA, complained about the technique of using tear-jerker anecdotes as a way to introduce stories. "If we're going to set policy by horror stories," he said later, "we ought to nationalize lawyers, since everybody has a horror story about lawyers."

But NBC grandees, like much of the national press, seem to have a blind spot when it comes to free-market alternatives to the status quo. They consider a debate balanced if it describes different proposals for federal control. The idea of private alternatives just doesn't seem to occur to them.

Malcolm S. Forbes Jr., editor in chief of Forbes magazine, has crafted a revolutionary self-insurance plan for his company's employees. The scheme has reduced insurance costs by more than 40 percent in three years, and workers report fewer serious illnesses or sick days than before. Mr. Forbes wasn't invited to the show. Neither was Patrick Rooney, chairman of the Golden Rule Insurance Co., which operates one of the most successful employer-operated health-care systems in America.

Roughly two-thirds of all employers with 500 or more workers finance health coverage for their workers, as do 40 percent of all establishments with 500 or fewer employees. The network contacted no experts to discuss this innovation.

Participants sensed the slant. A consultant who represents large organizations that support the president chortled: "My people knew the thing was a well-designed setup—and they like it just fine."

But conservatives in the audience raged. John Goodman of the National Center for Policy Analysis called the event "absolutely awful. At no point was there any presentation of a conservative or Republican approach to these problems."

Michael Tanner, a scholar with the Cato Institute, dismissed the meeting as a "propaganda fest." He got to speak briefly but was interrupted by Harvard Professor Steffy Woolhandler, a cofounder of Physicians for a National Health Program. Her punishment for rudeness was to get the last word on the subject.

And mild-mannered Gail Wilensky, a former Bush administration official and well-regarded health-care maven, stormed out of the event. "It was just outrageous what they did," she recalled. "We have some serious issues that we're nowhere near settling in this country—how to moderate spending, increase access, improve quality. This broadcast did nothing to help the American public understand the choices they have to make. It was biased—heavily tilted toward Democratic solutions."

"This was a sham as an education program for the American public, and NBC ought to

be ashamed. . . . It was so loaded it was unbelievable."

The Establishment, including the network and the Robert Wood Johnson Foundation (which underwrote the show), just doesn't get it. People distrust government and want to take matters such as health care into their own hands.

If the network wants to surprise viewers with fresh programming, it ought to produce a second special—about the story it ignored the first time around.

CONGRATULATIONS TO RALPH MARQUEZ

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. RICHARDSON. Mr. Speaker, I am honored to recognize Ralph Marquez as this year's New Mexico winner of the Voice of Democracy broadcast scriptwriting contest, sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary.

The Voice of Democracy scholarship program was started 47 years ago with the endorsement of the U.S. Office of Education, National Association of Broadcasters, Electronic Industries Association, and State Association of Broadcasters. Each year, more than 138,000 secondary school students participate in the contest competing for the 39 national scholarships totaling \$99,000.

The winner of the New Mexico scriptwriting contest is a 16-year-old student from Las Vegas, NM. Mr. Marquez is an exceptional young person committed to excellence as demonstrated by his numerous science and academic awards. He hopes to one day become a doctor. He is to be commended for addressing some of the complex social and economic problems in this country in his award winning script entitled, "My Commitment to America."

I urge my colleagues to review Mr. Marquez's valuable thoughts.

"MY COMMITMENT TO AMERICA"

(By Ralph Marquez, Jr.)

More than two hundred years ago, the American nation was founded on the principle that "all men are created equal." Since the promise of 1776 was made, we the citizens of the United States have strived to make this a reality.

During the years after World War II, and particularly during the past two decades, the movement toward freedom, justice and opportunity for all Americans made a steady progress.

Since its foundation, the United States has grown from a rural society of small villages and towns to an urban society of large cities and suburbs. The economy of the United States has developed from a simple one based on self-sufficient farming to an infinitely more complex one based on the technology of an industrial society. The nation has emerged from relative isolation to a role of world leadership.

Despite progress, problems still remain. The cities, in which so many of the poor and the minorities are concentrated, continue to decay. Also, from the mid-1970's on, the nation's economic health was poor. Soaring prices and scarce jobs damaged the chances

of many minority members to better their lives.

The federal government and its budgets have grown greatly since the 1930's, and many citizens have been asking if such growth is necessary and helpful. The American economy, a marvel to people the world over, has seemed to falter in the face of continuing problems with inflation and increasing international competition.

Locally, the problems citizens face today are no less critical than those facing the nation at large. Problems of violence, drugs, theft, vandalism and poverty continue to plague the American citizens' dream.

Violence and guns are the biggest problems facing Americans today. Every day about one hundred and fifty people are killed either by guns and/or some other type of unnecessary violence. The violation of a citizen's rights or the taking of their lives is not only detrimental to the quality of life of the victim and perpetrator, but also to their families and their communities and society at large.

Drugs, theft, vandalism and poverty are equally as destructive to an individual, as they are to society, in that the American dream of freedom, justice and opportunity is violated and stripped away.

As John F. Kennedy said, "Ask not what your country can do for you, but what you can do for your country." At an early age, I have always thought about that saying and what I could do as an individual to make that statement true for me.

From the age of six, up until the age of nine, I wanted to become a firefighter. I always dreamed of someday being known for saving peoples' lives. At the age of nine, I realized that being a firefighter was not the only profession where there were lives to be saved. I then wanted to become a Medical Doctor, and now, several years later, I am still working towards achieving that goal.

My desire is to receive my M.D. degree from Harvard University and be the best possible doctor I am capable of being. After receiving my M.D. I may decide to become specialized in the field of neuro-surgery. I realize that it will take years of hard work and dedication to achieve my goal, but that's what goals are set for.

The United States, especially the area in which I live, is greatly in need of quality medical providers. I believe that in giving, you shall receive and that's why I plan to give back to society and the community in which I was raised. Through the knowledge acquired from the anticipated years of study, my commitment to America, "or to my fellow man," will be to heal the sick and lessen the suffering from the ailments plaguing our society brought about by diseases and other environmental conditions.

By becoming a practicing physician, I plan on focusing my energies on community health, serving those who are less fortunate and capable of receiving quality medical attention through any other means. These people, as well as those who are financially capable, deserve the best possible medical services which can be provided. By reaching my educational goals at quality educational institutions, I will strive to provide these quality services to those in need.

The American land, with all its beauty and wealth of natural resources, needs thoughtful care and management to ensure that its treasures will be passed on to future generations.

By the passing down of educational and technological resources, I will hopefully attain my own dream and ultimately the

American dream of freedom, justice and opportunity for all.

TRIBUTE TO THE IDA BLUE STREAKS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. DINGELL. Mr. Speaker, I would like to recognize and pay tribute to the accomplishments of the newly crowned Michigan High School Athletic Association Class C girls softball champions who hail from my congressional district, the Ida High School Blue Streaks.

Under the leadership of head coach Brian Cousino, the Blue Streaks took the championship by defeating defending champion Grandville Calvin Christian on June 18. This well deserved victory concluded the most successful season in Ida history. The Blue Streaks set a school record of 32 wins, including an incredible 22-game winning streak. This season marked the fourth time in the last 7 years that Ida High School has reached the State championship game, and the school's second championship game victory.

The Blue Streaks were led by the dynamic duo of pitchers Suzanne Raymer and Stephanie Dye. Both posted earned run averages of under 1.00 for the season. Every great team not only has pitching, but hitting as well, and the Blue Streaks had plenty of power at the plate this season. Amy Wilson led the team in runs batted in, hits and runs scored. Corey Reilly led the Blue Streaks with a .505 batting average. The rest of the lineup was also extremely productive. Tracy Herkimer, Lesley Smith and Nikki Krieger each batted over .400. Kendy Newman and Christine Vogelgesang posted averages well over the .300 mark. With a lineup like that, it is easy to see why the Ida Blue Streaks were successful in claiming a State championship victory.

To achieve an accomplishment of such magnitude takes a total team effort. Without team unity, as well as dedication and hard work on the part of each player, there is little that can be accomplished. I also wish to recognize and congratulate other members of this team: Nicole Nemec, Laura Swartz, Judy Patton, Heather Price, Julie Root, Kara Huepenbecker, Heather Ferguson, Stephanie Cadaret, Michelle Contat, Sara Sweat, Lori Barkenquast, Jennifer Stotz, Mendy Sloan, and Stacy Schafer. Finally, it is important to recognize the others who helped to make the championship possible, the assistant coaches Harrold Cilley and Sherm Dunsmore, and the team managers, Laura Herkimer, Elizabeth Helmer, and Brandy Sweat.

In addition to the athletic prowess of this magnificent team, the Blue Streaks are homerun hitters in the classroom as well. The cumulative grade point average for the Ida Blue Streaks during the 1993-94 academic year was a 3.06. This achievement earned the team all-Michigan academic honors. Chester A. Arthur was correct when he said, "Good ballplayers make good citizens."

Mr. Speaker, I ask that my colleagues join me today in honoring the Ida Blue Streaks.

Their championship season both on and off the field serves as a shining example of Ida High School's commitment to academic and athletic excellence.

TRIBUTE TO GEN. CHARLES DONNELLY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. SKELTON. Mr. Speaker, today I would like to honor the memory of a loving father, an inspiring soldier-statesman, and a compassionate human being. Retired Air Force Gen. Charles L. Donnelly, Jr., died on July 3 at Malcolm Grow Medical Center on Andrews Air Force Base.

Born in Barberton, OH, General Donnelly graduated from Otterbein College in nearby Westerville in 1951. After joining the Air Force and completing pilot training, he logged over 8,000 hours of flight time in 38 different types of aircraft during his 36 years of military service. General Donnelly served with the 555th Tactical Fighter Squadron, the "Triple Nickel," stationed in Thailand from November 1966 to September 1967. He flew 100 combat missions in Vietnam and 27 over Laos.

Holding various training, staff, and command assignments in the United States and abroad, General Donnelly commanded the United States military mission to Saudi Arabia from 1979 to 1981. He is noted for implementing the U.S. security assistance and military sales to that country. Following this experience, he was named commander of the 5th Air Force as well as commander of all United States forces stationed in Japan and Korea. In 1984, General Donnelly was moved to Ramstein Air Base, Germany, and named commander in chief of United States and NATO air forces in Europe. He retired from this post in 1987.

General Donnelly's military decorations included the Defense Distinguished Service Medal, 2 awards of the Air Force Distinguished Service Medal, 3 awards of the Legion of Merit, the Distinguished Flying Cross, and 12 awards of the Air Medal. He also received honors from the Federal Republic of Germany, France, the Republic of Korea, and the Government of Saudi Arabia.

General Donnelly's commitment and dedication to the preservation and advancement of his country is truly an inspiration to all. His leadership and example inspired all who knew him. I close now, as is the Air Force tradition for a fallen warrior, "Here's a toast, to the host, of those who love the vastness of the sky * * *"

TRIBUTE TO MATICH CORP.

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. LEWIS of California. Mr. Speaker, I would like to bring your attention to the fine

work and innovation of the Match Corp. of Colton, CA. The Match Corp., which has been a leader in the heavy engineering industry since its establishment, will be celebrating its 75th anniversary at the Glen Helen Regional Park on August 7, 1994.

The company originally named Match Bros., was founded by John Match in 1918, who was later joined by Nikolas Match in 1923. Under the leadership of John and Nikolas the corporation successfully completed projects such as the historic Buena Vista Bridge in Riverside, runways to both March and Norton Air Force Bases, and major portions of the interstate highways throughout California and Nevada. John's two sons, Jack and Martin, assumed complete responsibility of the company in 1950 after the death of their father and the retirement of their uncle.

Jack and Martin developed Match Corp. both geographically and in construction technology. In pursuit of excellence the corporation expanded by tackling projects further into California, then onto Arizona, Hawaii, Nevada, Oregon, and Utah. While expanding geographically the company achieved three world records for concrete paving, developed a slipform paving float, and experimented with glassphalt paving, and other various recycling methods for road materials.

In 1983 with the death of his brother Jack, Martin assumed leadership of the corporation, and has been a guiding hand to his four sons, and Jack's son and daughter to be the third generation of leadership both within the corporation and community. The third generation strives for excellence as Match Corp. continues its fine work throughout the western United States and Mexico.

Mr. Speaker, I ask that you join me, our colleagues, the Match family, and their friends in celebrating 75 years of excellence in the field of engineering and construction. Over the years, Match Corp. has been instrumental in the development of road construction through its commitment to team work and quality construction and it is only fitting that the House recognize it today.

JOB ITSELF IS THE PRIME BENEFIT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues the following editorial from May 29, 1994, Omaha World-Herald, concerning the Clinton administration's views on health insurance and its costs to American businesses.

As the World-Herald makes clear, an individual's job itself is the main benefit, a fact which this administration seems inclined to ignore. Additional burdens on businesses are likely to force many businesses to close, throwing people out of work. A job which does not provide health care is far from an ideal position, but limited health care without a job is an even more perilous position. That is something for this administration and this Congress to keep in mind as we move forward on health care reform.

JOB ITSELF IS THE PRIME BENEFIT

Calling Herman Cain. The Clinton administration is still telling the public what a good thing it will be to increase the overhead of small business in America.

Labor Secretary Robert Reich announced the results of a survey measuring the number of workers with health insurance through their jobs. In 1979, he said, 66 percent of all workers received such coverage. By 1993, Reich said, the number had fallen to 61 percent.

Factor in the growth of the work force over that time, Reich said, and the percentages would translate into 5.4 million workers who don't have insurance who might have been insured if the 1979 percentage had held constant. Reich said the survey shows that it is "time for all employers to share in this burden."

Some businesses couldn't afford to keep up with increasingly costly health programs. So they quit offering health insurance coverage. In some cases, that decision may well have kept them in business, saving jobs.

Cain, the chief executive officer of Godfather's recently confronted President Clinton during a televised town meeting with figures showing how much the President's health care proposal would cost Godfather's. The administration responded with a letter accusing the restaurant industry of selfishly passing off its obligations to the rest of society.

Comments like Reich's, which tend to make an economic issue look like a moral one, underemphasize the importance of economic concerns. They aren't irrelevant, however. They are paramount. And they must be addressed if reform in the health financing system is to occur without throwing more Americans out of work.

WALL STREET JOURNAL ARTICLE "PRESCRIPTION FOR DISASTER"

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. GINGRICH. Mr. Speaker, I would like to bring to the attention of my colleagues the June 6, 1994, Wall Street Journal article "Prescription for Disaster," by Michael E. DeBaakey. This article portrays the dangers of cost-containment methods that restrict freedom of choice and stifle new medical research and development.

PRESCRIPTION FOR DISASTER

(By Michael E. DeBaakey)

When I think of HMOs and other health care plans with an emphasis on cost-containment, I am reminded of a woman from California who flew out to see me in Texas several years ago.

This patient, active and in her fifties, had a dissecting aneurysm of the aorta, a type of heart disease that is rapidly fatal when not treated by the corrective operation that I developed and first used successfully in 1954. The woman, who belonged to an HMO-type of "managed care" plan, had been told by her physicians at home that surgical treatment would not be approved. A doctor relative of hers put her into contact with me, and although I was willing to perform the operation without charge, she couldn't afford the hospital costs. Only after another family member—a lawyer this time—kicked up a

fuss did the HMO grant the woman the chance to live by approving her hospitalization costs.

This is a lucid example of how patients become victims of cost-containment through restriction of their freedom of choice. Most HMO-type managed-care organizations use stringent methods of cost control, as exemplified by the "withhold" practice, which may punish physicians financially who provide the care their patients need.

MEDICAL R&D

A more subtle, but equally pernicious, attack on patients is the government's curtailment of medical research, which has been accelerating unabated for the past several years and is slated to worsen under the Clinton health plan and other "reform" proposals. During the past 20 years, federal support for health research and development as a percentage of national health care expenditures has dropped by more than one-half. The U.S. now expends more than \$800 billion annually on health care, but less than 8% of that is reinvested in medical research.

As a percentage of the gross national product, our expenditures on medical research and development have been falling until their present level is about 1.8%, considerably below that of Germany (2.67%) and Japan (3.04%). Concomitantly, the number of U.S. patents for drugs and medicine being awarded to foreign inventors has been rising. Funding of approved National Institutes of Health grant applications has declined from more than 30% in the 1980s to below 25% in many categories and even 15% in some categories. Thus, a serious negative effect of the cost-containment hysteria associated with reduction of the budget deficit is the creation of an unstable environment within the research community.

Physicians and scientists with inquiring minds and an investigative bent naturally gravitate to America's Medical Centers of Excellence, a term that was first used in the Report of President Johnson's Commission on Heart Disease, Cancer and Stroke, which I chaired in 1965. These centers comprise university medical schools, their affiliated teaching hospitals, and other related health and research institutions. At such centers, the environment is hospitable to new and fertile ideas, and cross-fertilization thrives among diverse biomedical disciplines.

Any proposal for "reform" that shunts funds from these medical centers to less advanced or productive facilities simply because they offer bargain goods at bargain prices will be catastrophic. It will stultify medical knowledge; repress future advances in diagnosis, prevention and treatment; and ultimately decimate the general quality of health care delivery.

The integrated function of our medical centers has already been almost ravaged by the financial constraints imposed by Medicare, which now pays only about 70% of the cost of the patient's care; in most States Medicaid provides even less. The medical centers are heavily reliant on revenue from Medicare, Medicaid and private insurers: A November 1992 report of the Association of American Medical Colleges found that revenues generated by the clinical practice of the full-time faculty represent 45% of total medical school revenues. This money must be stretched far beyond capacity. For in addition to carrying out most of the research and the advanced education of health professionals, the medical centers provide half the uncompensated health care in the U.S.—that is, health care for the underprivileged.

In the Clinton health bill, the financial cross-subsidies of medical schools are not addressed. With fees from the faculty's medical

practice representing almost half the medical school revenues in support of their expenses, this deficiency becomes a critical factor in the viability of these Centers of Excellence.

The continuing movement toward managed care, with its stringent policy of cost-containment and restrictions on patient referral, has already significantly slowed the flow of patients of these Centers of Excellence, with a progressive decline in their clinical practice revenues. Under the Clinton health plan, managed care would become the law of the land, the flow of patient referrals would virtually disappear, and patients would thus be deprived of desperately needed specialized treatment. In addition to the severe financial burden this would impose on the Medical Centers of Excellence, an equally dangerous impact, the severely restricted patient population that would be available for teaching and research.

What role should the Medical Centers of Excellence play in health care "reform"?

The efficiency and quality of medical care can be greatly enhanced, with considerable savings, if a large proportion of patients requiring highly specialized and costly diagnostic and therapeutic procedures—such as cardiac catheterization, open-heart surgery, organ transplantation and specialized cancer therapy—were channeled to the Medical Centers of Excellence instead of being scattered in hospitals with wasteful duplication of equipment and inadequately trained or underexperienced personnel. This would, of course, require adequate cost reimbursement.

Most large cities have hospitals and outpatient clinics whose primary responsibility is to provide medical care to the indigent. Medical emergencies, and especially trauma cases, are treated largely in these institutions. Integrating these former charity hospitals into regional Medical Centers of Excellence would greatly reduce costs while elevating the quality of patient care.

Our medical centers, which have set the highest standards of health care, can also ensure the rapid and widespread application and implementation of these standards through telemedicine. By their linkage to small clinics in rural areas with a primary care physician, or perhaps only a nurse practitioner or physician's assistant, all the expertise and clinical resources of the medical centers will become accessible to these rural areas.

SHORTSIGHTED ANSWERS

If by "health reform" the folks in Washington mean "health improvement," that is commendable. But any "reform" that focuses on access at the expense of medical research, education and training will not advance diagnosis or treatment beyond the status quo. Patients still suffer from many diseases for which medical science has not yet found a cure or prevention. The easy answers may be politically seductive and superficially appealing, but they will prove shortsighted and, ultimately, self-defeating.

Already, as the health industry anticipates far-reaching but uncertain changes and sweeping government control, patients are feeling the adverse effects: denial of physician selection; brief, assembly-line encounters with a succession of unfamiliar physicians; and general dissatisfaction with the impersonality and reduced quality of health care received. The handwriting is on the wall. Will Americans heed it?

CELEBRATING THE 75TH ANNIVERSARY OF THE APPRENTICE SCHOOL OF THE NEWPORT NEWS SHIPYARD

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. SCOTT. Mr. Speaker, today, I would like to congratulate the Apprentice School of Newport News Shipbuilding on its 75th year of excellence in vocational training.

Since 1919, 75 years ago this year, the training of apprentices and the developing of critical skills has been a priority of the Newport News Shipyard. This comes from fundamental understanding, true today as it was 75 years ago, that being competitive in the world requires world-class craftsmanship.

We as a Nation are embarking on a new era—one that will require our young men and women to possess advanced technical skills—skills that will allow our workers to continue to be the best in the world.

The Apprentice School, a fully accredited institution, is a shining example of how to provide this craftsmanship and skill to our citizens. The school carefully blends classroom book work with the practical experiences necessary to build the best and most complex ships known to man.

As we in Congress look for the answers to the tough educational problems facing our Nation, the Apprentice School is a great example of how to accomplish this mission.

Congratulations Apprentice School on a job well done.

HONORING THE WAKEMAN CONGREGATIONAL CHURCH ON THE OCCASION OF ITS 150TH ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to a remarkable church. This year, the Wakeman Congregational Church, United Church of Christ, in Wakeman, OH, will celebrate its 150th anniversary of service to the community.

Mr. Speaker, in 1844, President James Polk had just been elected President. Manifest Destiny was the defining political current of the time and Samuel Morse had just sent the first telegraph message. It was at this time, in Wakeman, OH, 22 founding members established the Second Congregational Church. Who could have known then that the church would still be a center of worship and Christian heritage as we prepare to enter the 21st century?

The church has endured and thrived through the years by enacting a simple but firm mission. They believe our children, who will be future church leaders, need to be reminded of what our history means and why it is important to continue the church's tradition of worship, fellowship and service.

Wakeman Congregational Church has been a source of civic pride for 150 years now. Its longevity is a testament to the dedication of generations of church members which provides a Christian atmosphere that maximizes individual growth.

Mr. Speaker, as the church marks its sesquicentennial, we commemorate the past and celebrate the future. A new generation of worshipers continues the exemplary record of community pride and fellowship that distinguishes Wakeman. I ask my colleagues to join me in honoring this special church.

IN HONOR OF DIARIO LAS AMERICAS ON ITS 41ST ANNIVERSARY

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. DIAZ-BALART. Mr. Speaker, in commemorating the 41st year of the first edition of *Diario Las Americas*, I would like to extend my sincerest congratulations and admiration for the wonderful job that for these four decades Dr. Horacio Aguirre and his great newspaper have performed for the south Florida community, as well as for Spanish-speaking communities throughout the United States.

Diario Las Americas' philosophy, under Doctor Aguirre's expert supervision and with the collaboration of the distinguished Aguirre family, has always contributed to social peace in our communities, progress and brotherhood within our diverse society. People of all ethnic backgrounds inevitably find an effective and honest fighter for their rights in *Diario Las Americas*.

I also cannot fail to mention Horacio Aguirre's and *Diario Las Americas'* participation in the cause of freedom and liberty for Cuba and Nicaragua. For all this, and much more, I would like to publicly congratulate Dr. Horacio Aguirre and *Diario Las Americas* and pledge continued solidarity with them. I wish Doctor Aguirre, his family, and *Diario Las Americas* continued success and good fortune.

TRIBUTE TO THE SAN BERNARDINO CHILD ADVOCACY PROGRAM

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and community service of the San Bernardino Child Advocacy Program [SBCAP]. The SBCAP, which has demonstrated a remarkable dedication in helping abused and neglected children in San Bernardino County, will be celebrating its 5th Annual Volunteer Awards Recognition Dinner on July 15, 1994.

The SBCAP was established under the YMCA in 1984 in order to provide advocacy programs for the county's abused and neglected children. This program is unique because it is the only one of its kind in the county, and it is supported by the San Bernardino

Superior Court. In 1989 the agency separated from the YMCA and became incorporated due to the concern about the disturbing number of children suffering abuse and neglect.

The success of the SBCAP is due to the great numbers of volunteers that have been trained to become court-appointed special advocates to represent the best interest of children under the jurisdiction of the juvenile court. Since it was established in 1984, approximately 261 community citizen volunteers have been a part of the SBCAP. Throughout the years these volunteers have provided support to approximately 440 children and their families. It is these volunteers that serve as positive role models through their commitment and friendship to assigned children and their families. Without these dedicated people working within the courts it would be far more difficult to provide these children with the sense of stability and caring they have received through the SBCAP.

Mr. Speaker, I ask that you join me, our colleagues, the volunteers of the SBCAP, and the many children and families they have served over the years in recognizing the individuals that have made this program possible. The SBCAP has touched the lives of many people in our community and it is only fitting that the House recognize its positive work today.

RELIGION ON THE JOB

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. BEREUTER. Mr. Speaker, this Member would like to commend to his colleagues the following editorial from the June 25, 1994, Washington Post, concerning the Equal Employment Opportunity Commission's guidelines on religious harassment.

As the Post editorial makes clear, religious expression is one of our most fundamental rights. While they may have been well intentioned, the EEOC's guidelines are so broad and vague, that they will have the effect of stifling religious expression. For bureaucratic guidelines to infringe in any way on the right of an individual to express deeply held religious beliefs is unconscionable. The guidelines should be withdrawn.

[From the Washington Post, June 25, 1994]

RELIGION ON THE JOB

When the Equal Employment Opportunity Commission recently published guidelines on harassment in the workplace, 100,000 people wrote in to protest. Objections were voiced by members of Congress, representatives of many churches and the American Civil Liberties Union, among others. The issue that brought them together was religion, specifically, guidelines on what constitutes discrimination in the workplace on the basis of religion. The protesters are right. The proposed guidelines are being rewritten.

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on grounds of religion, and hundreds of cases making harassment claims are filed with the EEOC each year. In some cases, religious people are hassled by co-workers or denied promotions by bosses who object to their

faith. On occasion, jokes teasing and critical comments directed at a worker's religion reach the level where the job site becomes a hostile environment. These are legitimate grievances that the EEOC must address and correct.

A more complicated problem arises, however, when a nonbeliever, for example, is offended by a co-worker's religious comments, practices or even the clothing or jewelry another wears for religious reasons. That certainly does not amount to harassment of the nonbeliever on religious grounds.

The guidelines published by the EEOC are advisory only. But they are so vague and broad as to create the impression that employers wishing to avoid liability are well advised to keep the workplace entirely free of religious objects, discussions or practices. Some employers have already interpreted the guidelines as requiring them to prohibit employees from wearing crosses or Stars of David, hanging religious calendars, keeping Bibles at their desks, discussing religion or bringing any sign of their faith to the job site. In acting to protect the nonbeliever from possible offense, the EEOC has overlooked the rights of the religious to freely express their beliefs in ways that do not disrupt the workplace.

It is not the purpose of the law to protect workers from every word or deed they might find offensive. Individuals should be free to wear religious medals, paste prayers inside their locker doors, say grace in the cafeteria and refer to religious belief in conversation or at company meetings. This is protected conduct whether or not it may make some other person uncomfortable or be thought of as offensive by someone. The EEOC needs to provide a much tighter definition of harassment of religious grounds.

TRIBUTE TO THE EIGHTH ANNUAL SOCIAL SECURITY ADMINISTRATION BLACK CAUCUS CONFERENCE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. RUSH. Mr. Speaker, it gives me great pleasure to rise today to offer my support for the Eighth Annual Social Security Administration Black Caucus Conference, that will be held on July 29 and 30, 1994. This year's theme is entitled "Our Challenge for Growth—Developing and Filing the Pipeline," and I wish to take this opportunity to salute this organization for the many contributions it has made to the city of Chicago.

The caucus' strong desire to excel and their commitment to public service is truly exemplary. Over the years, the caucus has dedicated itself toward providing quality service to the public while furnishing resource assistance in the areas of job recruitment, development, and retention for the black community. By serving as role models and mentors for black Federal employees, the caucus pushes individuals toward developing their fullest potential.

Mr. Speaker, I ask for my colleagues to join me in paying tribute to the Social Security Administration Black Caucus. We all benefit from their efforts, and it is my hope that the caucus will continue to expand the horizons for the

black community. It is, therefore, my great pleasure to rise today and enter these words of commendation into the RECORD.

A TRIBUTE TO THE JOLIET CATHOLIC ACADEMY BASEBALL TEAM ON ITS 1994 ILLINOIS HIGH SCHOOL ASSOCIATION STATE CHAMPIONSHIP

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. SANGMEISTER. Mr. Speaker, I rise today to pay tribute to a remarkable group of young men from my district—the Joliet Catholic Academy Baseball team—the 1994 Illinois High School Association State Champions.

Under the direction of Coach Joe Rodeghero, the Hilltoppers baseball squad brought Joliet Catholic its first baseball title with a convincing 10-0 triumph over Morton High School in the championship game July 11.

The victory culminated an incredible run in which the team won 29 of its last 30 games to finish 35-5 for the year. The victory was especially satisfying for Joliet Academy and its fans as the Hilltoppers lost a heartbreaking extra-inning contest in the 1990 State championship game.

Mr. Speaker, I congratulate Coach Rodeghero and his players on this great victory, and wish Joliet Catholic Academy continued success in the future.

FISCAL YEAR 1995 DEPARTMENT OF DEFENSE APPROPRIATIONS

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. KOLBE. Mr. Speaker, I rise today to explain my ye vote on H.R. 4650, the Department of Defense appropriations bill for fiscal year 1995. This bill, although it continues to force dangerous reductions in the military as we starve it for funds, reflects a fair and bipartisan effort to make the best use of the money allocated to the Defense Subcommittee.

One issue that seriously concerns me in this bill is the treatment of the military retiree cost-of-living adjustment [COLA]. The Omnibus Budget Reconciliation Act of 1993, by requiring extended delays in the effective dates of military retiree COLA's, imposed a harsh and unfair financial penalty on military retirees. Contingent upon a specific appropriation for the purpose, the House, as part of the 1995 Defense authorization bill, remedied this inequity by equalizing the 1995 payment dates for military and civilian retiree COLA's. However, H.R. 4650 does not provide the appropriation for military retiree COLA's.

I was, however, assured by Chairman MURTHA that he was committed to resolving the inequity and will work with me, and the appropriate congressional committees, to eliminate the disparity between the two retiree groups. I

remain committed to work with the chairman to find a fiscally responsible solution that will not adversely affect the 2.6 percent active duty pay raise, or our military readiness.

Another issue of great concern to me is the large amount in the defense budget for programs which do not directly contribute to national security. This bill includes \$16.3 billion in environmental expenditures and economic conversion expenditures. Although there is some value in these programs, I am deeply concerned about the draining effect this high spending level could have on military readiness as military spending continues to decline.

A final area of great concern is the trend in military personnel manpower levels. During fiscal year 1995, DOD active duty personnel, Guard and Reserve, and civilian end strength will be reduced by 180,000. Let me put it this way—that 15,000 per month or 500 per day. Given the range of current and potential global commitments, I am committed to working to find ways to maintain adequate end strengths and force structures to reflect the demand. Additionally, I applaud the committee for urging DOD to continually review its force structure and for their commitment to maintaining ready and well equipped national defense.

This bill does provide funds for many important programs. Let me mention two of them. First, a program critical to the country's theater missile defense is the Navy's Upper Tier Program. The Nation has invested about \$42 billion in *Aegis* ships which form the basic infrastructure for the Upper Tier Program. Without spending additional funds, the system provides a forward-based, self-deploying, self-sustaining capability that will be ready on arrival. This bill provides \$120 million for further development of this program so we can achieve deployment as early as 1998 and avoid future disasters such as the barracks attack in Desert Storm. The upper-tier, sea-based ballistic missile defense provides the most affordable, expeditious, and strategically sound approach to addressing the theater ballistic missile threat, and I commend the committee for their work in this area.

Second, this bill provides \$3.2 billion beyond the administration's budget request for military readiness enhancements. Already the military is straining to maintain necessary combat readiness levels. These additional funds will help close the gap so our soldiers will be trained, equipped, and ready to defend U.S. interests at home and abroad.

Although not perfect or exactly what I would like to see, H.R. 4650 represents an effort to provide funding for necessary components of our national defense. Certainly, I would like to see the disturbing downward spiral in defense spending slowed down to correspond with global threats and this administration's lack of a coherent foreign policy. Our military is being asked to do more and more, and I remain committed to supporting legislation that will keep this country's defense strong and able to do its job.

REAUTHORIZE DEEP SEABED HARD MINERAL RESOURCES ACT

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. ORTIZ. Mr. Speaker, today, I am introducing a bill to reauthorize the Deep Seabed Hard Mineral Resources Act for fiscal years 1995 through 1999.

On June 30, 1994, Secretary of State Warren Christopher announced that the United States will sign a deep seabed mining agreement amending the Law of the Sea Treaty, effectively approving the treaty as a whole, subject to Senate ratification. Recent negotiations by the administration have led to the resolution of a number of concerns related to U.S. participation in the international seabed mining regime. The United States will be subject to provisional application of the mining agreement for up to 4 years, subject to U.S. law. During this time, U.S. domestic seabed mining law, the Deep Seabed Hard Mineral Resources Act, will preempt the agreement should a conflict arise.

Mr. Speaker, the bill I am introducing today reauthorizes our domestic seabed mining law, the Deep Seabed Hard Mineral Resources Act [DSHMRA], through fiscal year 1999. Reauthorization of DSHMRA will reaffirm this Congress' interest in maintaining a domestic deep seabed mining policy and will provide a framework for implementing legislation should the U.S. agree to ratify the treaty in the future. A reauthorized domestic legal regime will provide legal certainty to those U.S. operators licensed under DSHMRA, provide a basis for funding future activities, and preserve domestic mining claims against other nations. Additionally, should the United States decide not to ratify the Law of the Sea Treaty, a reauthorized DSHMRA will be critically important to preserve and oversee U.S. deep seabed mining activities and research in the future.

Mr. Speaker, this is a simple but important legislative measure that will provide both our Government as well as our domestic mining industry the security and autonomy needed to ensure the future viability of U.S. deep seabed mining efforts. I urge my colleagues to join me in supporting and enacting this legislation.

TRIBUTE TO JOHN T. BORISOFF

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. FRANK of Massachusetts. Mr. Speaker, I was very pleased to receive earlier this week a letter from Walter Rutkowski, executive vice president of the Carnegie Hero Fund Commission. Mr. Rutkowski informed me that the commission has awarded a medal to John T. Borisoff, a resident of New Bedford, in recognition of the courageous steps he took which resulted in the rescuing of John Bent who was in danger of drowning. I am attaching to these remarks the description of this event which the Carnegie Hero Fund Commis-

sion sent to me. Mr. Borisoff was joined in this effort by John M. Beane, who also received a medal for his lifesaving work. Mr. Beane and Mr. Borisoff ought to be widely recognized for their extraordinary courage and willingness to put their own lives in danger to help another, and the Carnegie Hero Fund Commission is to be commended for doing its part to recognize such efforts.

The description follows:

John T. Borisoff helped to save John M. Bent from drowning, East Sandwich, Massachusetts, August 2, 1992. Bent, 35, was fishing at the mouth of Scorton Creek when he lost his footing and was carried by a very swift current into the 63-degree water of Cape Cod Bay. His chest-high waders filled with water, weighing him down and precluding his returning to shore against the current. He shouted for help as he struggled to stay afloat. Other fishermen, including Borisoff, 23, assistant produce manager, were alerted to his situation. Borisoff and another man disrobed, entered the bay, and swam to Bent, who by then was about 450 feet from shore and was losing consciousness. Borisoff and the other man grasped Bent and attempted to return him to shore, but they made little progress against the current. Learning that a boat had been dispatched, Borisoff and the other man kept Bent afloat until the boat arrived several minutes later. After the other man boarded the vessel, Borisoff, from the water, lifted Bent as the others pulled him aboard. Borisoff himself then boarded the boat, which returned the men to shore, where Bent was taken to a hospital for treatment of hypothermia. He recovered. Borisoff was tired and numb, but he recovered shortly.

AWARD WINNING SCRIPT OF DARYL FINIZIO

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. REED. Mr. Speaker, I would like to take this time to recognize an exceptional young man from my district who was recently awarded 16th-place honors in the Veterans of Foreign Wars Voice of Democracy broadcast scriptwriting contest. Mr. Daryl Finizio of Westerly, RI, will be entering his senior year at Westerly High School this fall. He has served as the class president for 2 years and in the student council for 4 years. In addition, he was awarded first prize in the Otis P. Chapman Prize Speaking Contest and was a finalist in the Senate Youth Scholarship Program. Daryl is hoping to attend the University of Rhode Island, where he will study political science. I am pleased to submit his award winning script into the RECORD today. I am certain all my colleagues will see this as an example of what young adults in America are achieving.

MY COMMITMENT TO AMERICA

My commitment to America is the crusade to preserve democracy and freedom. Many Americans take for granted the luxuries that we enjoy as United States citizens; I know I did; that is, until last year when I experienced something that affected me so deeply that I shall never forget the lessons that I learned.

Last January my family took a trip to Tijuana and Ensenada in Mexico. I had never

been out of the country before and knew next to nothing about living standards in Mexico. Our tour bus passed through Tijuana at about mid-day, and the bus had to go around the city because heavy rains had flooded most of the streets inside the town. We came to a point along this side road where on the Mexican side most of the small houses that had been built on a hill on the side of the road had been washed out. Along the road-side there were dozens of recently dispossessed families, and in a small, shallow, dirty ditch lay the bodies of those killed in the flood, mud-splattered and abandoned. On the other side there were many young men not much older than myself, all of their possessions packed in bags ready to make one all-out run for the freedom that lay on the American side. Then, out of the corner of my eye I saw the city of San Diego and the rolling green California hills that surround it. And, today I can easily say that, compared to the horror surrounding me at that one moment, that sight is the most beautiful one in all the world. There is suffering that Americans don't see in places that we never go and sounds that we don't want to listen to.

So my commitment to America is to see that I, as an American citizen, see to it that Americans realize just how great a nation we truly have.

Our democratic and political processes are the models for all the world. We, as citizens, have the right to free speech and expression; and, of course, we have the right to the almighty vote.

Today, America stands before the world as the only true global superpower. We have to make a commitment that we will shoulder the responsibilities which accompany such powers.

I know that it is hard for Americans to accept so much responsibility. At one point many of us would opt for isolationism, but I believe that this will only bring about destruction. We cannot always opt for the easy out; sometimes good things come with hard work.

But I would not presume that I can change the world, but what I can do is make a commitment to change myself, to open my eyes to the plight of the poor and the needy, to go where I would not normally go, to see what I would not normally see, and to do my best in whatever occupation I enter.

And if the time should ever arise that my country should ever need me to serve in its military, I would gladly do so. And I would not hesitate to give my life in my country's defense.

For I have never seen and the world will never know a nation greater than the United States of America.

CONGRATULATING REV. LAWRENCE C. ROBERTS ON HIS 35 YEARS OF SERVICE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues an event which took place this past Sunday in my home State. It was the celebration of the 35th Pastoral Anniversary of Rev. Lawrence C. Roberts at the First Baptist Church of Nutley.

Many know Reverend Roberts for his extraordinary musical talents. He was the first black gospel record producer in the country with Savoy Records in 1954. He produced many great gospel artists including the Ward Singers, the Banks Brothers, Dorothy Norwood, and the famed Caravans with Albertina Walker. Over the years he has performed professionally and has shared the stage with such greats as Duke Ellington, Count Basie, Sammy Davis Jr., Roberta Flack, and Ray Charles.

Rev. Lawrence Roberts has been fortunate to have family and friends who have nurtured him throughout life. This nurturing has allowed him to open his arms, heart, and home for those that need that little extra attention, that smile of reassurance or understanding. Reverend Roberts not only shares his talent, he makes a point to share his knowledge. He has lectured at high schools, colleges, and the Smithsonian Institute.

The accolades that have been bestowed upon Reverend Roberts have not changed this man. He continues to take time out to be "Uncle Lawrence" to the young people of our community.

Mr. Speaker, I am sure my colleagues join me in congratulating Rev. Lawrence C. Roberts on his anniversary and offer their best wishes to him, his family, and his congregation.

TEENAGE SMOKING

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. DURBIN. Mr. Speaker, I would like to submit for the RECORD a column by Eric Zorn which ran in the Chicago Tribune on July 10, 1994. The column, "Let's Snuff Out Teenage Smoking," is right on target.

[From the Chicago Tribune, July 10, 1994]

LET'S SNUFF OUT TEENAGE SMOKING

(By Eric Zorn)

Surveys tell the story: The 400,000-some new tombstones planted each year for those who have died of smoking-related causes are a collective monument to the enduring stupidity of teenagers.

The kids aren't doing the dying, of course. Tobacco takes years to complete its ugly work. But they are by and large the ones taking those first drags, inhaling their way into a powerful addiction (or, if you believe the industry panjandrums, a pleasurable habit that just happens to be terribly hard to break) that takes a huge toll on the individual and society.

Smoking is an unwise practice, for scads of reasons I need not repeat here. For it to continue among about a quarter of the population as it does, unwise people must join in to replace the quitters and diers in great numbers—people who, say, don't really believe in their own mortality, who can't imagine the idea of deferred disease and whose immature judgment is, in many areas, enshrined into the law.

In short, teenagers.

The vast majority of new smokers each year are teens. Figures from the Office on Smoking and Health within the U.S. Centers for Disease Control and Prevention show

that four out of five adults who now smoke started before they were 18. A recent U.S. surgeon general's report said the average age of first cigarette is 14.5, and of becoming a daily smoker is 17.7.

The same report said it is very rare for people to take up smoking after 30. The unstated reason is obvious: People know better by then. They've read the studies and fear the weed. They've realized that their bodies deteriorate fast enough without deliberate poisoning. They can see the future and want to be in it.

And though there isn't always a direct correlation between one's wisdom and one's level of formal education, note that only 14 percent of college graduates smoke, compared with 32 percent of those who didn't finish high school. The New Republic reported last week that only 7 percent of the Harvard class of '69 smokes.

By all lights, with its strong associations with youth and lack of wisdom, smoking ought to be viewed as just another one of those dumb things kids do, like throwing toilet paper on trees, playing ding-dong-ditch or driving around in endless circles with the car stereo cranked all the way up. A phase. A rite of passage. Something to grow out of and laugh about later.

Adults ought to be as embarrassed to ask to sit in restaurant smoking sections as they would be to ask to sit with patrons who are playing drinking games until they vomit or pass out.

But, of course, it is not that way. Tens of millions of adults keep right on smoking well after they have become wise, deliberative and otherwise cautious, well after they have turned the volume down and started eating high-fiber foods. Such is the power of the nicotine addiction (pleasurable habit).

Smoking drains our health-care system of \$50 billion a year, according to a federal report released Thursday. Additional related social costs nearly double that figure, the report said.

We can further tax, shun and sequester adult smokers to try to break tobacco's grip. But clearly the only way to make significant long-term progress is to get tougher with teen smokers, an estimated million of whom join the yellowed-finger crowd each year.

"If we stop adolescents from smoking, the effects will be dramatic," promises Michael Eriksen, director of the CDC's Office on Smoking and Health.

A preliminary version of new federal regulations on tobacco and minors due out in final form this summer suggests that states establish retail licensing programs for tobacco sales. Such a license could be suspended or revoked if the merchant sells to youths, much like a liquor license.

The federal regulations will not contain sanctions against the young smokers themselves. But, as the Tribune reported Tuesday, a growing number of suburbs have started to levy fines of up to \$50 to teens caught smoking.

Good starts. Still too wimpy. As far as minors are concerned, tobacco should be like alcohol—a serious, adult product with serious consequences for kids caught using it. Suspended driver's licenses. Community service. Big fines. And the law should be equally harsh with those who sell or distribute tobacco to adolescents.

Such a policy would pay off in the long run in a variety of ways. Perhaps it would even take some of the prohibitionist heat off adult smokers who, by legal custom, have gained the maturity and judgment to make their own decisions—even stupid ones.

**SALUTING MENTHA MITCHELL
VARNER**

HON. BILL K. BREWSTER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. BREWSTER. Mr. Speaker, I would like to recognize a woman from Oklahoma who has achieved excellence and dedicated her life toward quality education and community service, Mentha Mitchell Varner.

Mrs. Varner, from Ardmore, OK, has accomplished several firsts in her lifetime as an educator, administrator, and community leader. She taught school 40 years and was with the Ardmore Early Childhood Center for 3 years. In 1966, she was the first black teacher, after integration, to work in the Ardmore City School System. She was acclaimed one of the best teachers in the State.

She also taught home nursing for the National American Red Cross, Carter County Chapter, for 10 years, and has served in many positions for the chapter for more than 53 years.

She has always been a trailblazer. She was the first black student to live in an integrated dormitory on the campus of Oklahoma State University in 1954; and she was responsible for black boys and girls being accepted to attend the Oklahoma American Legion and auxiliary boys and girls State conferences.

In 1965 she was an instrumental leader in establishing the National Head Start Program in Ardmore, OK. Volunteering her time, she headed the drive to raise money to renovate the old Dunbar School as a permanent home for the program. The building was renamed for her in 1989.

Mrs. Varner has held many leadership positions in the Oklahoma Negro Teachers Association, the Ardmore Classroom Teachers Association, and the Oklahoma Education Association.

Presently, she is a board member of the Carter County Chapter of the National American Red Cross, the United Way of Southern Oklahoma, the Ardmore City Schools Enrichment Foundation, and the HFV Wilson Community Center. Further, Mrs. Varner is a member of the American Legion Auxiliary Post #264, Carter County RSVP, the NAACP, the First Baptist Church of Ardmore, and the TAPP organization.

Mrs. Varner is also a member of the local, district, and State Democratic Party, the Ardmore Chamber of Commerce, Carter County Retired Teachers Association, and the National Retired Teachers and Persons Association.

She is a life member of Langston University's National Alumni Association and Ardmore Douglass High School's National Alumni Association.

Mrs. Varner has been instrumental in helping many students attend college, by arranging for scholarships, and even giving her own money.

In 1991, she received the Living Legacy Award from the National Caucus and Center on Black Aged, in Washington, DC. Her life's work and many accomplishments led to her being selected for the prestigious award.

EXTENSIONS OF REMARKS

At 80 years of age, Mrs. Varner remains active with community work, volunteering, writing, consulting, and often lecturing.

I want to wish her well and congratulate her for many years of service, leadership, and friendship to the residents of Oklahoma.

Mr. Speaker, it is an honor for me to join the residents of Carter County, the city of Ardmore, and the State of Oklahoma in saluting Mentha Mitchell Varner.

**A BILL TO CREATE THE SMALL
BUSINESS ACCREDITED LENDERS PROGRAM**

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. POSHARD. Mr. Speaker, today, I am introducing a bill which, if enacted, will allow one of the Federal Government's most effective small business programs to serve that key sector of our economy even better. The bill authorizes the Small Business Administration [SBA] to implement on a nationwide basis an Accredited Lenders Program within its 504 loan-guarantee program—a program which already is delivering outstanding benefits to the Nation's small businesses.

By creating an Accredited Lenders Program, or ALP the SBA can achieve an important goal: It can speed the turnaround time for thousands of small businesses applying for 504 loans. Anyone who talks regularly with small business people knows that waiting for credit very often can mean the difference between an important deal happening and its falling through. That means jobs which either will or will not be created.

The purpose of the 504 program is to help small businesses expand with long-term capital for physical plant and equipment. Under the program, the SBA guarantees loans made by local Certified Development Companies [CDC's] to small businesses. The small businesses in turn must obtain 50 percent financing through private financial institutions and must also provide 10 percent equity themselves.

Demand for the program has been skyrocketing during the past several years, as has the number of jobs it creates. According to the National Association of Development Companies [NADCO], the 504 program and its predecessor 503 program have funded over 13,000 small businesses since 1981, creating over 350,000 jobs. The SBA's Allan Mandel calculates that—because of the very low, 0.5-percent Federal subsidy rate on the privately underwritten debentures which fund the CDC loans—this program actually creates or retains jobs at the amazing rate of approximately \$49 in taxpayer expenditure per job. When we talk about Federal Government support for small businesses, SBA's 504 program clearly is a major success story.

This bill would simply apply to the 504 program a concept already in operation in SBA's 7(a) loan-guarantee program—the agency's largest program. The idea also is in operation in a pilot project being conducted by the SBA with a select group of 504-program CDC's.

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The concept is to rely during SBA's guarantee-approval process on the credit analysis conducted by qualified professional staff of lenders with an established record of utilizing the program successfully, rather than requiring SBA loan officers to duplicate that credit analysis. This would allow the SBA to complete documentation for and guarantee 504 loans quickly, usually within 5 working days. It also will reduce workload and paperwork for SBA's own loan officers, who are overburdened due to significantly increased program demand at the very time that the agency is being forced to reduce its work force.

It is important to point out that these benefits can be achieved without exposing taxpayer dollars to significant new risk. Loss rates will be carefully monitored, and only those CDC's who maintain an excellent record will receive expedited treatment.

The bill is consistent with other important steps being taken by SBA Administrator Erskine Bowles to improve and streamline his agency's service to its ultimate customer—small businesses. SBA supports the idea, and I believe it will have the support of the small business committees of both the House and the Senate, as well.

Mr. Speaker, we all know that small firms have been the engine for our economy's job creation in recent years. I hope this proposal, which would significantly improve the operation and service of an excellent small business credit program without additional taxpayer cost, can become law this year.

TRIBUTE TO JAMES P. GANNON

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. LEVIN. Mr. Speaker, I would like to take this opportunity to recognize the work of a man who has labored among us for over 30 years.

James P. Gannon, Washington bureau chief for the Detroit News and national affairs columnist for the Gannett Co. newspapers, has elected to retire early and pursue writing at a more leisurely pace than Washington sometimes allows.

Mr. Gannon came to the Detroit News in 1988 with a wealth of experience ranging from executive editor, then editor of The Des Moines Register for more than 10 years, to 17 years as a reporter and bureau chief at The Wall Street Journal. It was during his tenure in Iowa that the statewide daily won three Pulitzer Prizes.

Among his colleagues, he is known as a very serious and intense writer with a fine news sense. He is often thought of as an old-fashioned purist when it comes to news—one who prefers economic stories over the current trend toward the lighter, more trivial ones.

I've enjoyed many opportunities to talk about important issues with Jim Gannon. I have known him to be a journalist of substance and integrity.

I would like to take this occasion to wish him and his family well and to note his tremendous contribution to journalism overall.

**MARITECH: STRENGTHENING
AMERICAN SHIPBUILDING IN
THE WORLD MARKET—THE NEED
FOR PRIVATE AND PUBLIC CO-
OPERATION**

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. HORN. Mr. Speaker, I rise in support of the Maritech Program of the Department of Defense's Advanced Research Projects Agency. The Maritech Program is operated by the Department of Defense in conjunction with the Department of Transportation's Maritime Administration and in full partnership with the Department of the Navy's Office of Naval Research. This program is a Federal effort to revitalize the Nation's private shipbuilding industry and to enhance its competitiveness on world markets.

In the face of defense cutbacks, I believe we need to strengthen our maritime industrial base so that it is able to survive on its own without the promise of future defense procurements. I am pleased that ARCO Marine Inc., of Long Beach, CA, a private shipbuilding corporation, has been awarded a grant of over \$4 million to be used in conjunction with several other enterprises, both foreign and domestic, for the purposes of pioneering the comeback of our Nation's private shipbuilding industry. This grant will be used to develop focused technology for a family of double hull tankers, new shuttle tanker designs, and new shipyard designs.

Since the end of the Second World War, workers employed in our Nation's maritime industry have contributed significantly to the production of ships which aid in the commerce and trade of our country. Shipbuilders can be proud not only that they provide the vessels by which American goods were transported on the high seas but that also provided the vessels through which the United States helped to secure the peace during the cold war. Within the last 10 years however, private sector shipbuilding in the American economy has declined sharply, and we have lost ground to our international maritime competitors. At the same time, defense contracts have been cut back in response to post cold war needs. The net result has been a 40-percent reduction of nationwide maritime industry employees since reaching an all-time high in 1981 of 186,700. Orders for new merchant vessels under construction or on order at U.S. private shipyards have all but disappeared. This situation in our private maritime industry cries out for action.

The task of rebuilding our maritime industrial base will not be easy. Indeed, such a task necessitates an expanded view of what must be done to ensure continuous product and process enhancement. According to the Department of Defense, the objective of the Maritech Program is to improve, through advances in technology, the commercial competitiveness of the U.S. shipbuilding industry and, by doing so, to maintain our shipbuilding industrial base as U.S. Navy orders decline. Because the United States is a maritime nation, our economic success in the world economy, in part, depends on the shipping that brings American

products to market. Maritech strives to improve our design and technological performance in the area of private shipbuilding, helping to ensure that our economic position in the world remains secure.

While the U.S. shipbuilding industry has long been an innovator in ship construction, American shipyards have fallen behind their foreign competitors in commercial shipbuilding contracts because private shipyards have had to fill their shipbuilding capacity with orders from the U.S. Navy. Therefore, in order to regain our leadership position in commercial shipbuilding, we may need to turn to our foreign competitors in order to obtain the expertise and technology needed to jumpstart our industry. The Maritech Program, however, is structured in such a way that funding in the form of grants is awarded to a consortia of U.S. shipbuilding enterprises who, in turn, will decide to what extent the contribution of foreign shipbuilding expertise is pertinent.

The United States still has a large, sophisticated, and very capable shipbuilding industry, but the boom days of U.S. Navy shipbuilding are behind us and we need to take the extra step to ensure that the private shipbuilding sector is capable of surviving on its own. Combining shipbuilding expertise from various sources, whether they be public, private, foreign, or domestic, will amplify American shipyards' ability to launch new technologies in shipbuilding and capture a share of the commercial market. Taking such steps now will strengthen our long-term economic growth and competitiveness in the shipbuilding industry.

The Maritech Program has my strong support. The principles of Maritech are in keeping with the President's Defense Reinvestment and Conversion Initiative. I will support efforts to build a strong, sound economy for the people of California and the Nation as a whole. If that goal is to be achieved, there must be greater flexibility by all parties—public and private—to work to maintain the highly skilled human resources which exist in both the private and the public shipyards. If we lose either of these key assets, our Nation will be the poorer. Cooperation must be the order of the day. Federal laws should be changed to provide for creative cooperation.

**FISCAL YEAR 1995 DEFENSE
AUTHORIZATION**

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Ms. FURSE. Mr. Speaker, as a member of the Armed Services Committee, I want to comment on the initiatives I worked diligently to include in the fiscal year 1995 National Defense Authorization Act as passed by the House last month. It is a pleasure to serve with Chairman RON DELLUMS and chairwoman of the Subcommittee on Research and Technology, PAT SCHROEDER, on which I serve.

We made some progress in the area of non-proliferation following my achievement last year of a ban on research and development of low-yield nuclear weapons. I was pleased that this year's bill included language I offered es-

tablishing a requirement that nuclear weapons research and development must now be approved by the Nuclear Weapons Council, a Department of Energy-Department of Defense-National Security Council interagency commission. An annual report to Congress of all such activities is also required. This strengthens executive branch and congressional oversight and requires that these agencies concur with development of any new nuclear weapons programs. My provision puts more sunshine on nuclear weapons activities. This is an important step toward eventually ending the scourge of nuclear weapons from our midst.

I was also pleased to secure the reauthorization of the Hanford Health Information Network and add a provision requiring confidentiality of its client information. I appreciated Speaker FOLEY's assistance with both of these. The Hanford Health Information Network was established 3 years ago to develop programs for those who may have been exposed to radiation released from the Hanford Nuclear Reservation between 1944 and 1972 and has been extremely useful to the people of the Pacific Northwest.

I appreciated the opportunity to work with Representatives FRANK, SHAYS, and UPTON, on our floor amendment calling for greater burden-sharing with our European allies with the saving designated to reduce the deficit. Our amendment, adopted 268-144, requires them to pay 75 percent of nonpersonnel costs for the 100,000 U.S. forces in Europe by 1998.

In the area of defense conversion, I was among those advocating for several initiatives which were included in the committee bill: Requirement for early notification of contract reductions and/or terminations for defense industry workers, Office of Economic Adjustment financing of civilian market feasibility studies, and expansion of the Technology Reinvestment Program's mandate to include job creation and retention and make trade unions eligible to apply for grants directly.

I am particularly pleased that phase II of the Marine Environment Research and Training Station was authorized in H.R. 4301, as well. This program will provide educational and training opportunities in environmental, marine industrial and maritime studies to help foster regional economic prosperity and environmental integrity.

Finally, while my initial attempt to attain more airlift sooner and with greater affordability was not successful, I am encouraged that there is growing recognition of the reality that we will be losing airlift faster than we can buy it if we follow a C-17 only approach and therefore the acquisition of nondevelopment airlift aircraft is necessary in order to avoid an airlift shortfall. I look forward to continuing my efforts on this issue next year.

At \$264 billion, I believe we are spending too much for defense at the expense of true national security, such as education, health care, and rebuilding our industrial base. However, I am encouraged at several new directions I see this authorization bill moving in, under the leadership of Chairman DELLUMS.

This authorization bill moves in the right direction of reorienting and downsizing our military forces and infrastructure consistent with the post-cold-war environment within which

they must be prepared to operate. At the same time, I remain concerned that we have not made the necessary adjustments in force structure and weapon system acquisition. Therefore we run the risk of spending limited budget dollars on excessive force structure and unnecessary major weapons purchases while diverting scarce national resources from more urgent needs. I will continue to aggressively pursue this necessary realignment in accord with the new realities of our world.

**SUPPORT FOR HOUSE JOINT
RESOLUTION 353**

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. MINETA. Mr. Speaker, I rise today in support of House Joint Resolution 353, the National Apollo Anniversary Observance. My colleague Mr. BATEMAN and myself, as co-chairs of the House Space Caucus, introduced this resolution to nationally celebrate a bright and shining moment in the history of America.

When the Apollo 11 rocket launched from the Kennedy Space Center on July 16, 1969, America's hopes and dreams were carried with it. Ten years earlier President Kennedy launched this mission to the Moon, one of America's greatest challenges.

At home, the United States was facing many domestic and foreign problems. Instead of focusing all of our efforts inward, we reached for the stars. We united as a nation to go the extra mile—we pushed our development of technology and knowledge of the world around us. As then President Kennedy said:

[W]e choose to go to the Moon in this decade and do the other things, not because they are easy, but because they are hard ***

Make no mistake, Neil Armstrong's first step on the Moon was a powerful moment for all of humankind. But it was also the culmination of years of hard work by American engineers and scientists. That first step was achieved by the American people.

And so, 25 years later we still feel the force of that moment of contact with another world. Not only in the symbolism of that moment, but also in the practical application of the technology that placed humans on the Moon.

Today, technologies developed in part through space research, like imaging systems to detect heat conditions of sunglasses that block harmful UV rays, improve the lives of everyday Americans. Technology developed for the Apollo missions is helping to push U.S. progress and competitiveness into the 21st century.

Twenty-five years later the United States is once again embroiled in solving domestic issues at home, and feeling the pressure to solve many foreign problems abroad. During these times it becomes easy to falter.

But we must not allow ourselves the luxury of cynicism. During these times we must remember that historic Moon landing and the bravery of astronauts Buzz Aldrin, Neil Armstrong, and Mike Collins.

We must remember that it was America's ingenuity, our hope and our technology that took us to places of which our forefathers could only dream.

I would like to take a few extra moments to thank Chirag Patel, Brian Kennedy, Jennifer Cohen, Vick Sandhu, and Elna Shah for all of their hard work on this commemorative.

**INTRODUCTION OF THE MEDICAL
DEVICE USER FEE ACT OF 1994**

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. WAXMAN. Mr. Speaker, I am pleased to introduce the Medical Device User Fee Act of 1994. This bill will solve a problem that all of us have heard much about during the past several years—namely the delays at the Food and Drug Administration in reviewing medical devices.

Mr. Speaker, under Federal law, medical devices must be reviewed by the Food and Drug Administration prior to marketing. That review should be completed within 180 days for new devices, and within 90 days for devices that are substantially equivalent to devices already on the market.

Unfortunately, during recent years, the FDA has been unable to meet these statutory timeframes, and device companies have argued that they and the public are being harmed by these delays.

The Medical Device User Fee Act of 1994 will give the FDA the additional resources that it needs to do a thorough and timely review of medical devices. Under the bill, device companies will pay fees for device applications submitted to the agency. These fees will raise approximately \$115 million during the next 5 years.

The money will be dedicated to the review of medical device applications and to other activities that are related to devices and are specified in the bill. The FDA has stated that with this additional money it will significantly expedite the review of medical device applications and substantial equivalence submissions.

The bill will sunset after 5 years. At that time, Congress will be able to review whether device user fees have achieved their purpose of expediting the review of device submissions.

Mr. Speaker, this legislation will produce significant benefits to the public and the industry. If it is enacted, it will get lifesaving medical devices to sick people faster. Device companies will benefit because the additional resources that the bill will generate will result in shorter review times for requests to market new devices.

The bill reflects extensive discussions with the device industry and the Food and Drug Administration. The bill was drafted after consultation with members of the Energy and Commerce Committee and the Senate Committee on Labor and Human Resources.

I want to specifically acknowledge the important role that Mr. DINGELL, the chairman of the Energy and Commerce Committee, played in drafting a bill that could gain the widest pos-

sible support from consumer groups, the industry, and the administration. Mr. DINGELL has been a tireless advocate of soliciting additional resources for the Food and Drug Administration. Two years ago, he helped steer the Prescription Drug User Fee Act of 1992 through Congress, and hopefully, with his help, we will be able to enact a medical device user fee bill this year.

I also want to acknowledge the important role that Senator KENNEDY has played in the drafting of this legislation and in enacting user fees for prescription drugs. Today he will be introducing a bill in the Senate that is identical to the device user fee bill that I am introducing today.

Mr. Speaker, in this bill, we have attempted to achieve a user fee structure that is fair and equitable. In particular, we have been very sensitive to the interests of small business, especially startup companies. We will continue to work on these and other issues as the bill is considered during the legislative process.

I am pleased to announce that the bill is supported by the Health Industry Manufacturers Association, the National Electrical Manufacturers Association, and many companies in the device industry. It is my hope that it can be enacted this year.

I ask unanimous consent that the text of the bill may be printed in the RECORD.

**MEDICAL DEVICE USER FEE ACT
OF 1994**

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. DINGELL. Mr. Speaker, I am pleased to join my colleague Mr. WAXMAN in introducing the Medical Device User Fee Act of 1994.

This legislation authorizes the collection of fees by the Food and Drug Administration [FDA] for the purpose of improving the medical device review process. These fees will make it possible for FDA once again to meet the 90- and 180-day deadlines set by the Congress for the review of substantial equivalence and pre-market approval applications, most particularly through providing the resources needed to hire new personnel, additional to those already employed by the Agency.

Many in the device industry have told us that delays in processing their applications cost their companies substantial losses. Thus, they believe that user fees are an acceptable investment if they are linked to FDA meeting these timeframes for new applications and to eliminating the backlog of applications pending action by the Agency.

Fees would be collected from companies who apply to FDA for medical device pre-market approvals [PMA]; for a determination of substantial equivalence of devices covered by the requirements of section 510(k) of the Food, Drug, and Cosmetic Act; or for approval of supplements to PMA applications. The fees will be no higher than necessary to meet the agency's actual needs and will be dedicated to the medical device review process and specific related activities.

In developing this legislation, we looked to the Prescription Drug User Fee Act (Public

Law 102-571) as a model for basic principles. However, we also recognized that the medical device industry is different from the prescription drug industry in a number of significant ways. We worked with representatives of the industry—both large and small companies and associations—in crafting the legislation. However, we are well aware that we have not heard from each and every segment of this large and diverse industry. Thus, some unique perspectives of specific portions of the industry may not be represented in the bill we introduce today.

I want to emphasize, Mr. Speaker, that we remain receptive to hearing additional points of view about the structure of this user fee program, and we will try to accommodate them.

One particular component of the device industry which has communicated its concerns is in vitro diagnostics manufacturers. These companies develop and produce tests and reagents used by health care providers and clinical laboratories for screening and diagnosis. For instance, they manufacture tests and reagents used in measuring blood cholesterol levels, doing blood screening, testing for allergies and infections such as hepatitis and HIV. Many of these companies are small, but manufacture a range of inexpensive devices. Thus, they are justifiably concerned about the impact of user fees on their business. We are looking carefully at their questions and concerns, to determine the best approaches to resolving them.

Mr. Speaker, over the last several years, my Oversight and Investigations Subcommittee has thoroughly examined the management and operation of FDA's Center for Devices and Radiological Health. The subcommittee report, "Less Than the Sum of Its Parts," details the results of this investigation and makes a number of recommendations for change, especially in the Center for Devices and Radiological Health [CDRH]. Some of these recommendations have been implemented by the new management of the center, and progress is being made. This is a positive sign, but we are not out of the woods. We expect FDA to continue to improve its management, operations, and policies related to medical device review, approval, and regulation.

Without sufficient resources, however, FDA will continue to swim upstream. With our enormous Federal deficit and intense demands for funding from many worthy programs, we simply do not have funds available to enhance FDA's budget. User fees are not the answer to all of the problems identified by our investigation or experienced by the medical device industry, but they are a key component of the solution. I urge my colleagues to support this legislation as a responsible and necessary approach to improving the medical device review process and enhancing FDA's ability to do the job we want the agency to do.

MERCY OTIS WARREN DAY

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. HUGHES. Mr. Speaker, I rise today to introduce a resolution designating September 14, 1994, as "Mercy Otis Warren Day."

Many of you may not be familiar with Mercy Otis Warren. Indeed, her name is obscure among the American public. However, historians of the American Revolution are aware of the contributions made by this remarkable woman who was born on September 14, 1728, in Barnstable, MA.

Recognized as a poet, patriot, and historian of the American Revolution, Mercy Otis Warren's writings are credited with providing insightful views on the leading political figures of the American Revolution and the political viewpoints of the day. One of her major literary works, "The History of the Rise, Progress and Termination of the American Revolution" (1805), is respected primarily for its spirited personal opinions of people and events she had known firsthand.

Over time, Mercy Otis Warren became a prominent political commentator who was well-respected by her contemporaries for her understanding of political issues. Her advice and opinions were sought by such notables as John and Samuel Adams and Thomas Jefferson. Mrs. Warren wrote a 19-page pamphlet published in 1788 entitled, "Observations On The New Constitution," which may not be her best known work, but was perhaps her most significant. Mrs. Warren's vigorous defense of personal liberties contributed to the political movement which culminated in the adoption of the Bill of Rights.

What is most remarkable about Mercy Otis Warren is that she received no formal education because of the social mores in the early 1700's which placed women in domestic roles. As a young woman, Mercy Otis satisfied her thirst for knowledge by sitting-in on her brothers' tutoring sessions. As the daughter of a county judge who was also a colonel in the militia, Mercy Otis listened to frequent political discussions in her home and developed an ardent interest in politics and public affairs. A forerunner of the modern feminist movement, Mrs. Warren was very interested in the role of women in society and was determined that women should not be restricted to domestic interests.

The life of Mercy Otis Warren is one that should be told to all Americans. Recognition is long overdue. I hope my colleagues will join me in honoring this great American for her courage, her wisdom, and her contributions to early American political thought which gave birth to the democratic values we all cherish.

Please join me in cosponsoring this resolution which designates September 14, 1994, as "Mercy Otis Warren Day."

HONORING LAWRENCE MEINWALD

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in honor of an outstanding resident of our 20th Congressional District of New York, Lawrence Meinwald, who is deserving of our congratulations on the forthcoming celebration of his 80th birthday.

Throughout Larry's 80 years, he has not only been a successful realtor, but more important has been an active, generous dedicated member of our community. We commend his benevolence toward others. His generosity is exemplified by a recent act in his providing several weeks of lodging for the Russian contingent of the Big Brothers/Big Sisters organization in his hotel, The Madison. Larry was a Big Brother himself in 1944. He enjoyed working with young boys who needed him. He noted how proud he was to have been able to aid in the Big Brothers/Big Sisters organization 50 years later in their program of training the Russians how to operate a matching youth-adult program.

To more fully describe Larry Meinwald's accomplishments and experiences, I request that an excerpt from One Family entitled "One Generous Man Makes Many Dreams Come True," by Elieba Levine, be inserted at this point in the RECORD:

LAWRENCE MEINWALD—AN EXCERPT FROM "ONE FAMILY", SPRING 1992—ONE GENEROUS MAN MAKES MANY DREAMS COME TRUE (Written by Elieba Levine)

A group of visiting Russian men and woman recently got a taste of American hospitality—New York style—when hotel owner Larry Meinwald, a Big Brother fifty years ago, gave them free lodging for two weeks in his hotel, The Hotel Madison. The Russians were in town to receive training from Big Brother/Big Sisters of New York City on how to establish and operate a youth-adult matching program in their changing country.

Without Mr. Meinwald's generosity, the visit would not have been possible since the Russians only had enough money for their plane fare, not food and lodging. Recently, I had the pleasure of meeting Mr. Meinwald at his West Side Townhouse, here he lives and works.

When I arrived at his headquarters, I was instantly greeted by photographs, letters and heartfelt testimonials that fill the walls of his entry hall. A staff member escorted me to the third floor, where I was told to wait. Those solo moments provided quite a treat. On the walls hung pictures of Harry Truman, Teddy Kolleck, Ed Koch, Herbert Lehman, Abba Eban and other world leaders. In each photo, I saw the same pleasant-faced man, with his enchanting handle-bar mustache, smiling or shaking hands with these important people. Surrounding the whiskers is a friendly face, revealing a vibrant presence. I know this must be Larry Meinwald. In person, though now close to eighty years of age, the personality measured up to the image. Sitting down to business, Mr. Meinwald took his place behind an impressive desk. Equally distinct was his comfortable clothing: a dark plaid sports shirt, topped by a goosedown vest, hardly the way one expects a real estate mogul to be attired. I asked him why he

had helped Big Brothers with the Russian Contingent. He told me of his experience with Big Brothers. In 1944, he had charge of a twelve year old Hispanic boy whom he would see on weekends. He also went on to describe his own boyhood. He was brought up to believe in doing for others, he said. He thinks Big Brothers is a worthwhile movement, believes in it and knows its value to single parents, he said. Mr. Meinwald never had a son, and liked working with young boys who needed him. Charitable works are a large part of his life and so is contributing to the community in which he lives.

Mr. Meinwald was silent for a moment and then conversation returned to the Russians. "There was an ethnic connection as well," he said. Though he came from Poland, his father was in the Russian Army, he said, and had told him many stories about Russia. He spoke affectionately about his father. "My father was a baker," he said fondly. "He told me two things I have never forgotten: One was to get an education no matter what. The other was don't ever become a baker." He followed his father's advice, went to City College, and ultimately made his success in real estate. "I started out as an accountant," he said, "and worked for someone who could neither read nor write. Even so, he was a success. I thought if he could do it, so could I." He bought his first building for \$500.00, and the rest is history.

He reached for an envelope on his desk, and took out pictures of a stunning horse with her baby colt. "I've always had a love for animals, especially horses," he said. When I asked if he raced them, he shook his head. He raised them for love, not for profit, he said. After sitting and listening to this wise man for just a short while, I suspected that most everything he did was for the love of it. I was indeed happy to have met Larry Meinwald. The Russians could not have found a nicer patron.

SPECIAL TRIBUTE TO JUDGE CHARLES W. FLEMING

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 1994

Mr. STOKES. Mr. Speaker, today I rise to pay tribute to a very dear friend and distinguished constituent of Ohio's 11th District, who recently passed away, the Honorable Judge Charles W. Fleming. Elected in 1975, Judge Fleming served a 19-year span on the Cleveland Municipal Court earning him the respect and admiration of all who knew him. It was a privilege to have known such an outstanding lawyer and such a distinguished individual. I would like to take this opportunity to share with my colleagues and the Nation some information regarding Judge Charles W. Fleming.

As presiding municipal judge, Charles Fleming displayed sincere compassion for the underserved and the less privileged. Having grown up in poverty, judge Fleming represented someone who overcame the odds. His hard work and persistence in promoting justice and equality won him the admiration of many.

Mr. Speaker, Judge Fleming began his legal career soon after receiving his degree from

the John Marshall School of Law. Unable to find employment with any major law firms as a black attorney, he and now Federal judge, George White, opened their own firm in Cleveland. In 1961, he became an assistant county prosecutor and later switched to defense work in 1968. Prior to becoming a judge, he also taught at Case Western University. Judge Fleming served in the municipal court for 14 years before being elected presiding judge by his colleagues in 1989. His leadership in this post was unparalleled. He was also the first black president of the Ohio Association of Municipal/County Judges. During his lifetime, he also served as a faithful member of both Kappa Alpha Psi fraternity and the Prince Hall Masons.

Mr. Speaker, on the occasion of his passing, we convey our deepest sympathy to Judge Fleming's family with whom we join in mourning the passing of such a great man. I am honored to share with my colleagues an article in the Plain Dealer which further describes the efforts of an individual whose contributions to the legal arena and his community are unsurpassed. He will be sorely missed by all.

JUDGE CHARLES FLEMING DIES; WAS PIONEERING RIGHTS LAWYER

(By Scott Stephens and Mark Hollenhagen)

Presiding Municipal Judge Charles W. Fleming may have left behind the poverty of E. 21st St. near Central Ave., but friends say his modest upbringing molded him into a compassionate judge.

A trailblazing civil rights lawyer, former prosecutor and judge for nearly 20 years, Fleming died at 11:55 a.m. yesterday of a heart attack at St. Luke's Medical Center. He had been in critical condition there since a June 18 automobile accident in Shaker Heights.

Fleming, 66, of Cleveland had no heartbeat or pulse after his car struck a tree on S. Woodland Ave. He was revived by paramedics, but he only briefly regained consciousness after the accident.

Hospital spokeswoman Gina Goodwin said Fleming, with a history of heart problems, had suffered several heart attacks over the weekend.

Fleming's death marked the end of a colorful and often controversial career that touched five decades, including segregation in the 1950s, the dawn of the civil rights movement in the 1960s and black political empowerment in the 1970s. Friends and colleagues said they would mourn his loss.

"He never forgot where he came from and always remained very sensitive to the plight of poor people," said Stanley E. Tolliver, a fellow lawyer and a friend of more than 35 years. "A giant tree has fallen in the forest of justice."

Municipal Judge Mabel M. Jasper, a colleague and friend for 30 years, echoed those sentiments: "He was a drum major for justice, a role model and a champion of the least among us."

Fleming, born in Cleveland, received a bachelor's degree from Kent State University and a law degree from John Marshall Law School. By the late 1950s, he and George White, now a federal judge, had opened a law practice on Prospect Ave. near E. 4th St.

During the 1950s, the city's major law firms would not hire black lawyers. Fleming and a group of young black attorneys, including

Tolliver, brothers Carl and Louis Stokes, Merle McCurdy and Granville Bradley loosely banded together to form the John M. Harlan Club.

The club, which was part professional, part social, was named for the former U.S. Supreme Court justice who was a staunch defender of racial equality. The club chatted up politics and law for hours at Rosie's, a soul food restaurant across from Lakeside Court-house.

Fleming, a lifelong Democrat, switched sides of the courtroom in 1961 when he became an assistant county prosecutor.

"Charlie was a very able and very persuasive lawyer in the courtroom," said Rep. Louis Stokes, of Shaker Heights. Stokes, as a former defense attorney, faced Fleming. "We had some real first-rate trials against one another, but we remained close friends."

Fleming switched back to defense work in 1968 and made a name for himself when he and Tolliver represented Fred Evans, a black nationalist organizer accused of starting the bloody Glenville riot in 1968.

Fleming raised eyebrows during the trial when he put former County Prosecutor John T. Corrigan—who had also been his boss—on the witness stand and grilled him about witness statements implicating Evans that authorities claimed they had. An all-white jury found Evans guilty of killing three Cleveland policemen and a civilian during the rioting after a trial marked by frequent scuffles and constant tension between police and protesters.

"Those were very turbulent times," Tolliver recalled. "The police actually threatened us, and they fired at my house."

Fleming was first elected to the Municipal Court in 1975. He was elected to his fourth six-year term last year. His colleagues elected him presiding judge in 1989, and he was the first black president of the Ohio Association of Municipal County Judges.

As a judge, Fleming did not shy away from controversy. In 1982, a fellow judge accused Fleming of promising his colleagues they could increase their staffs if they voted for him for presiding judge.

But colleagues yesterday remembered Fleming's work in overseeing the computerization of court records and a variety of alternative sentencing programs. "He was a progressive individual who oversaw many innovative programs in the court," said Court Administrator John J. O'Toole, who worked with Fleming for 19 years.

Before becoming a judge, Fleming taught law at Case Western Reserve University.

In recent years, Fleming enjoyed spending time with his family and socializing with his friends.

More often than not, they could be found at Angle's restaurant on E. 52nd St. and Euclid, where pictures of Fleming, Tolliver, the Stokes brothers and other "Carnegie Round-table" members adorn the walls.

"He had a terrific sense of humor," said Granville Bradley. "I never saw him angry. He was a fine gentleman."

Friends said Fleming was proud that two of his children, Charles E. Fleming, of Cleveland, and Patrice Fleming-Squirewell, of Houston, became lawyers.

Charles E., 31, is an assistant federal public defender in Cleveland. Patrice, 36, is a hearing officer with the Texas Workers Compensation Commission.

Also surviving are his wife, Norma E.; sons, Reginald, of Cleveland; Carlos A., of Lawrence, Kan., and a stepson, Gerald Lewis, of Houston; a grandchild, Whitney R. Squirewell, of Houston; and a sister.